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NASA EESS Wideband Briefing

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# FCC Licensing Process

## Authority

- Communications Act as codified in Title 47 of the Code of Federal Regulations (CFR)\*
- § 2.106, Table of Frequency Allocations
- § 25, Satellite Communications
- FCC Rules § 25.202(a) does not include frequencies for EESS, however,
- § 25.202(b) places other space services under the aegis of § 25 on a case-by-case basis consistent with § 2.106, the Table of Allocations

\* Current version available at:

[www.access.gpo.gov/nara/cfr/cfrhtml\\_00/Title\\_47/47tab\\_00.html](http://www.access.gpo.gov/nara/cfr/cfrhtml_00/Title_47/47tab_00.html)

# FCC Licensing Process (cont'd)

## Application

FCC Rules § 25.114 sets forth the requirements for a space station application

- Form 312
- Attach appropriate exhibits
- See Part § 25.114(c) for required content

# FCC Licensing Process (cont'd)

## Public Review Process

Any individual or organization has the right to comment in support of or against any application, or to petition the FCC to approve or deny any application, see § 25.154:

- 30 days for petitions and comments
- 10 days for oppositions and responses
- 5 days for reply comments

# FCC Licensing Process (cont'd)

## Authorization

- FCC must address all comments and petitions
- Coordination with band-sharing users must be completed or authorization may be on non-interference basis (NIB)
  - For secondary allocation bands, NIB in any case
- Application may be amended while pending, see § 25.116
  - Major amendments require public notice
- Licenses may be modified following authorization, see § 25.117
  - Major modifications require public notice

# FCC Licensing Process (cont'd)

## FCC Milestones and ITU Due Diligence & Cost Recovery

- FCC applies milestones on contract, launch & possibly other items
- ITU also applies “milestones”
  - Must bring into use within 5 years or have a good reason not under control of the administration or operating agency
  - Must provide due diligence information on construction and launch contracts within 5 years
  - For extension to 7 years maximum, must provide due diligence information on construction contract with extension request
- ITU also collects fees to recover cost of processing
  - FCC neither pays, nor handles funds for, cost recovery
  - Applicant/licensee commits to unconditionally accept responsibility for payment of cost recovery fees to the ITU

# EESS Space Stations Authorized

- Space Imaging's IKONOS
- EarthWatch's (Now DigitalGlobe)  
QUICKBIRD
- Orbital Imaging's ORBVIEW
- AstroVision's AVSTAR

# EESS Space Station Authorizations\*

- Space Imaging
  - DA 95-1849
  - DA 01-765
- EarthWatch
  - DA 95-1707
  - DA 97-885
  - DA 00-909
  - DA 00-1305
  - DA 01-2054
- Orbital Imaging
  - DA 99-353
- AstroVision
  - DA 00-2581

\* More recent authorizations are available at:  
[http://hraunfoss.fcc.gov/edocs\\_public/SilverStream/Pages/edocs.html](http://hraunfoss.fcc.gov/edocs_public/SilverStream/Pages/edocs.html)